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U. S. DEPARTMENT OF AGRICULTURE,
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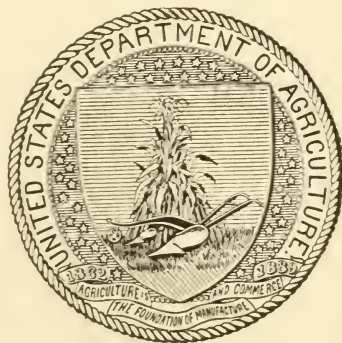
H. W. WILEY, CHIEF.

FOODS AND FOOD CONTROL.

II.—LEGISLATION DURING THE YEAR
ENDED JULY 1, 1904.

BY

W. D. BIGELOW,
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WASHINGTON:
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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY,
Washington, D. C., November 17, 1904.

SIR: I have the honor to transmit for your inspection and approval a compilation of the food legislation enacted during the year ended July 1, 1904, in the several States and insular possessions of the United States and in the District of Columbia, with the recommendation that it be published as Part II of Bulletin No. 83 of the Bureau of Chemistry.

Respectfully,

H. W. WILEY,
Chief of Bureau.

Hon. JAMES WILSON,
Secretary of Agriculture.

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FOODS AND FOOD CONTROL.

II.—Legislation during the year ended July 1, 1904.

FEDERAL LAW AUTHORIZING INVESTIGATIONS BY SECRETARY OF AGRICULTURE.

* * * To investigate the adulteration of foods, condiments, beverages, and drugs, when deemed by the Secretary of Agriculture advisable, and to publish the results of such investigations when thought advisable, and also the effect of cold storage upon the healthfulness of foods.

To enable the Secretary of Agriculture to investigate the character of food preservatives, coloring matters, and other substances added to foods, to determine their relation to digestion and to health, and to establish the principles which should guide their use; to enable the Secretary of Agriculture to investigate the character of the chemical and physical tests which are applied to American food products in foreign countries, and to inspect before shipment, when desired by the shippers or owners of these food products, American food products intended for countries where chemical and physical tests are required before said food products are allowed to be sold in the countries mentioned, and for all necessary expenses connected with such inspection and studies of methods of analysis in foreign countries; to enable the Secretary of Agriculture, in collaboration with the Association of Official Agricultural Chemists, and such other experts as he may deem necessary, to establish standards of purity for food products and to determine what are regarded as adulterations therein, for the guidance of the officials of the various States and of the courts of justice.

To investigate, in collaboration with the Bureau of Animal Industry, the chemistry of dairy products and of adulterants used therein, and of the adulterated products; to determine the composition of process renovated or adulterated and other treated butters, and other chemical studies relating to dairy products, and to make all analyses of samples required for the execution of the law regulating the manufacture of process renovated or adulterated butters. To study, in collaboration with the Weather Bureau and agricultural experiment stations, the influence of environment upon the chemical composition of wheat and other cereals, with especial reference to the variation in the content of gluten, and the suitability of barley for brewing and other purposes. To investigate the chemical composition of sugar and starch producing plants in the United States and its possessions, and, in collaboration with the Weather Bureau and agricultural experiment stations, to study the effects of environment upon the chemical composition of sugar and starch producing plants, especially with reference to their content of available sugar and starch, for the purpose of investigating, determining, and reporting the proper treatment and process in order to secure uniform grade and quality of first-class table sirup.

To investigate the adulteration, false labeling, or false branding of foods, drugs, beverages, condiments, and ingredients of such articles, when deemed by the Secretary of Agriculture advisable; and the Secretary of Agriculture, whenever he has reason to believe that such articles are being imported from foreign countries which are dangerous to the health of the

people of the United States, or which shall be falsely labeled or branded either as to their contents or as to the place of their manufacture or production, shall make a request upon the Secretary of the Treasury for samples from original packages of such articles for inspection and analysis, and the Secretary of the Treasury is hereby authorized to open such original packages and deliver specimens to the Secretary of Agriculture for the purpose mentioned, giving notice to the owner or consignee of such articles who may be present and have the right to introduce testimony; and the Secretary of the Treasury shall refuse delivery to the consignee of any such goods which the Secretary of Agriculture reports to him have been inspected and analyzed and found to be dangerous to health, or falsely labeled or branded, either as to their contents or as to the place of their manufacture or production or which are forbidden entry or to be sold, or are restricted in sale in the countries in which they are made or from which they are exported. * * * (*Appropriation act for the Department of Agriculture, 1904-5. Public—No. 150.*)

MARYLAND.

DRUGS.

119B. *Drugs.*—Any person, firm or corporation engaged in the business of making, manufacturing, compounding or dispensing drugs, medicines, medicinal or chemical preparations for human consumption, who shall in person or by his, their or its agents or employees, make, mix, manufacture, compound, dispense, sell, or deliver to any person, any drug, medicine, medicinal or chemical preparation, intended for internal use, wherein ethyl, or grain alcohol usually enters as part of, or is in anywise employed in the making, mixing or manufacture, compounding or preparation of such drug, medicine, medicinal or chemical preparation; and who shall, in the making, mixing, manufacturing or compounding of such drug, medicine or medicinal or chemical preparation, substitute or use, in part or in whole, methyl, or wood alcohol, in place and stead of ethyl, or grain alcohol, or who shall in any manner put or introduce methyl or wood alcohol into such drug, medicine, medicinal or chemical preparation, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by not less than three months nor more than twelve months imprisonment, or by both, in the discretion of the court. (*Code of Public General Laws, art. 27, added by law of April 8, 1904, Laws of 1904, ch. 470, p. 817.*)

FLAVORING EXTRACTS.

§1B. *Flavoring extracts.*—No person, firm or corporation engaged in making, manufacturing, compounding and selling extracts, essences or other fluids commonly used for the purpose of flavoring articles of food or drink, shall use or employ, or permit to be used or employed by his, their or its agents or employees, in the making, manufacture or compounding of such flavoring extracts, essences or fluids, any methyl, or wood alcohol; nor shall any person, firm or corporation, his, their or its agents or employees, sell, or offer for sale at wholesale or retail, any flavoring extract, essence or other fluid commonly used for flavoring articles of food or drink, when the same contains any methyl, or wood alcohol; and any person, firm or corporation, his, their or its agents, employees or officers, violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by not less than three months nor more than twelve months' imprisonment, or by both in the discretion of the Court. (*Code of Public General Laws, art. 43, added by law of April 7, 1904, Laws of 1904, ch. 378, p. 659.*)

VINEGAR.

51A. *Vinegar standards.*—From and after the passage of this Act no person, firm, or corporate body shall manufacture for sale, sell or deliver, or have in his, her or their possession, with intent to sell or deliver, any vinegar not in compliance with the provisions of this Act. No vinegar shall be marked, branded, sold or exposed for sale as apple or cider vinegar which is not the legitimate product of pure apple juice and containing at least one and one-half per cent. of solids, and all vinegar shall contain not less than three and one-half per cent., by weight of absolute acetic acid, except when mixed with other articles of food.

51B. *Unwholesome vinegar.*—No person, firm or corporate body shall manufacture for sale, offer for sale, or have in his, her or their possession with intent to sell, or offer for sale, any vinegar found upon proper test to contain ingredients injurious to health.

51C. Penalty and enforcement.^a—Every person, firm or corporate body who shall violate any of the provisions of this Act, shall, for every offense, forfeit and pay not less than five dollars nor more than one hundred dollars, which shall be recoverable, with costs, including expense of inspection and analysis, by any person suing in the name of the State, as debt ^b of like amount are by law recoverable; provided, that the State Board of Health or other health authority, through its executive officers, together with its deputies, agents and assistants, shall be charged with the enforcement of this Act, and shall have full access to all places of business, factories, mills, buildings, carriages, cars, vessels, barrels, tanks and packages of whatever kind used in the manufacture and transportation and sale of any vinegar or any adulteration or imitation thereof, or any package in which vinegar is mixed with articles of food. They shall also have power and authority to open any package, barrel or vessel containing any vinegar or any adulteration or imitation thereof which may be manufactured, sold or exposed for sale, and they shall also have full power and authority to take samples therefrom for analysis upon tendering the value of said samples; and all charges, accounts and expenses of the department for the enforcement of this Act through the said executive officer or officers and his or their deputies, agents, assistants, chemist and counsel employed by him or them in carrying out the provisions of this Act, shall be paid by the Treasurer of the State in the same manner as other accounts and expenses of the department are paid; and all penalties and costs for the violation of the provisions of this Act shall be paid to the secretary of the State Board of Health, and by him immediately covered into the State Treasury.

51D. Penalty.^c—Every person who violates any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than one hundred dollars; provided, that all fines and costs, including the expense of inspection and analysis imposed under this section shall be covered into the State Treasury, and all vinegar sold or offered for sale in violation of the provisions of this Act shall be subject to forfeiture and spoilation.^b

51E. Jurisdiction.—Magistrates and justices of the peace throughout the State shall have jurisdiction to hear and determine actions arising for violations of the provisions of this Act, and to hold for court or impose the penalties provided therein, subject to appeal, as the law shall direct.

51F. Appropriation.—The sum of five hundred dollars be and the same is hereby appropriated to carry out the provisions of this Act. The money so appropriated shall be paid by the Treasurer of the State upon the warrant of the Comptroller, to the State Board of Health for the purposes herein contemplated. (*Code of Public General Laws, art. 43, added by law of April 12, 1904, Laws of 1904, ch. 653, p. 1147.*)

^a See also sec. 51D.

^b So in statutes.

^c See also sec. 51C.

NEW JERSEY.

DRUGS.

SEC. 2. *Definitions of impure drugs.*—The following drugs shall be deemed to be impure within the meaning of this act: (1) any drug which, being known under or by a name recognized in the last revised United States pharmacopoeia, possesses a strength, quality or degree of purity inferior to or different from that laid down in such revised pharmacopoeia: (2) any drug which, not being known under or by a name recognized in the last revised United States Pharmacopoeia, but which is found in some other pharmacopoeia or in some other standard work on materia medica, possesses a strength, quality or degree of purity inferior to or different from that laid down in such other pharmacopoeia or standard work: and (3) any drug whose strength, quality or degree of purity falls below the professed standard under which it is sold. (*Acts of 1901, ch. 85, p. 186 [Bul. 69, p. 258], as amended March 29, 1904, Laws of 1904, ch. 171, p. 308.*)

FOODS AND DRUGS.

SEC. 1. *Municipal inspectors.*—The board of health of any municipality in this state shall have the power to designate from among its sanitary inspectors one or more inspectors who shall be known as inspector or inspectors of foods and drugs of such municipality, and whose duties shall be, besides the usual duties of a sanitary inspector in such municipality, to aid in the enforcement of the act to which this is a supplement, and who shall have all the powers and authority given or to be given by said act or the acts supplementary thereto or amendatory thereof to any inspector appointed thereunder. (*Acts of 1901, ch. 85, p. 186, as supplemented March 30, 1904, Laws of 1904, ch. 211, p. 374.*)

MILK.

SEC. 1. *Care of milk cows.*—Whenever any person shall keep cows for the production of milk in a crowded or unhealthy place or condition, or feed any cows kept for the production of milk on swill or any substance in a state of putrefaction or rottenness, or on any substance of an unwholesome nature, or on any substance that may produce disease or unwholesome milk; or who shall sell or distribute, or offer to sell or distribute, or have in possession with intent to sell or distribute any milk which is the produce of cows so kept or fed, then it shall be lawful for the state board of health to file a bill in the court of chancery in the name of the state, on the relation of such board, for an injunction to prohibit the keeping of cows for the production of milk in such crowded or unhealthy place or condition, or the feeding of cows on swill or any substance in a state of putrefaction or rottenness, or any substance of an unwholesome nature, or on any food or substance that may produce disease or unwholesome milk, or the continuance of the sale, distribution or transportation of such milk as the case may be, and for such other or further relief in the premises as the court of chancery shall deem proper. (*Approved March 28, 1904. Laws of 1904, ch. 99, p. 224.*)

SEC. 1. *Cleansing of milk cans.*—It shall be the duty of any person, persons or corporation to whom milk is shipped by any person in this state, before returning to such shipper the can or vessel used for transporting such milk, to remove all milk from such can or vessel and to thoroughly rinse such can or vessel with pure water or to cause the same to be done;

and it shall be the duty of any person, persons or corporation shipping milk to any point or points within or without this state to thoroughly cleanse, or cause to be cleansed, the can or vessel used for transporting such milk before the milk is placed therein.

SEC. 2. *Penalty.*—Whenever any person, persons or corporation shall violate any of the provisions of the first section of this act, such person, persons or corporation shall be liable to a penalty of twenty-five dollars, which shall be recovered in the same manner and in any court or before any magistrate that any penalty is recoverable under the provisions of the act to which this is a supplement. (*Acts of 1901, ch. 85, p. 186, as supplemented March 30, 1904, Laws of 1904, ch. 204, p. 365.*)

NEW YORK.

ALCOHOLIC LIQUORS.

SECTION 43. *Analysis of spirituous, fermented or malt liquors.*—The state department of health shall at least once in each calendar year cause samples to be procured in the public market or otherwise of the spirituous, fermented or malt liquors, distilled, brewed, manufactured, sold or offered for sale in each brewery and distillery located in this state. Such samples shall be kept in vessels in a condition to obtain a proper test and analysis thereof. Such vessels shall be properly labeled and numbered, and an accurate list kept of the names of the distillers, brewers and vendors of the liquors from which the samples were taken, and opposite each name shall appear the number which is written or printed on the label attached to the vessel containing the sample. Such lists, numbers and labels shall be exclusively for the information of such department and shall not be disclosed or published unless upon discovery of some deleterious substance therein prior to the completion of the analysis or required in evidence in court. When listed and numbered, every such sample shall be delivered to an analyst, chemist or officer of the department and shall be designated and known to him only by its number, and by no other mark or designation. A test or analysis of such sample shall be made by such analyst, chemist or officer, which will determine the ingredients or component parts thereof. The result of such test or analysis shall be immediately reported by the person making the same to the department setting forth explicitly, the nature of any deleterious substance, compound or adulteration found therein which may be detrimental to public health, and the number of samples in which it was found. Any brewer, distiller or vendor in whose samples any such substance, compound or adulteration is found upon any such test or analysis, shall be deemed to have violated the provisions of this article, prohibiting the manufacturing, having, selling or offering for sale adulterated food. (*Revised Statutes, Codes, and General Laws, 1901, vol. 2 [Bul. 69, p. 279] as amended April 28, 1904. Laws of 1904, vol. 2, ch. 484, p. 123.*)

DAIRY PRODUCTS.^a

SECTION 22. *Prohibition of the sale of adulterated milk, or imitation cream.*—No person shall sell or exchange, or offer or expose for sale or exchange, any unclean, impure, unhealthy, adulterated or unwholesome milk or any cream from the same, or any unclean, impure, unhealthy, adulterated, colored, or unwholesome cream, or sell or exchange or offer or expose for sale or exchange any article of food made from such milk or cream or manufacture from any such milk or cream any article of food, or sell or exchange, or offer or expose for sale or exchange, any substance in imitation or semblance of cream, which is not cream, nor shall they sell or exchange or offer or expose for sale or exchange any such substance as and for cream. (*Revised Statutes, Codes, and General Laws, 1901, vol. 1 [Bul. 69, p. 282] as amended April 28, 1904. Laws of 1904, vol. 2, ch. 480, p. 1222.*)

SEC. 24. *Receptacles—protection of owners.*—No person or persons shall hereafter without the consent of the owner or owners, shipper or shippers, use, sell, dispose of, buy or traffic in any milk can or cans, jar or jars, bottle or bottles, cream can or cans, jar or jars, bottle or bottles belonging to any dealer or dealers, shipper or shippers of milk or cream residing in the state of New York or elsewhere, who may ship milk or cream to any city, town or place within this state, having the name or initials of the owner or owners, dealer or dealers, shipper or shippers, stamped, marked or fastened on such can or cans, jar or jars, bottle or bot-

^aSee also ice cream and confectionery, p. 13.

tles, or wilfully mar, erase or change by remarking or otherwise said name or initials of any such owner or owners, dealer or dealers, shipper or shippers, so stamped, marked or fastened upon said can or cans, jar or jars, bottle or bottles. Nor shall any person or persons without the consent of the owner use such can or cans, jar or jars, bottle or bottles, for any other purpose than for milk or cream; nor shall any person or persons without the consent of the owner place in any such can or cans, jar or jars, bottle or bottles, any substance or substances, product or products other than milk or cream. (*Revised Statutes, Codes, and General Laws, 1901, vol. 1 [Bul. 69, p. 283] as amended March 28, 1904. Laws of 1904, vol. 1, ch. 168, p. 300.*)

SEC. 22. *Prohibition of the sale of adulterated milk; regulating the sale of certified milk.*—No person shall sell or exchange, or offer or expose for sale or exchange, any unclean, impure, unhealthy, adulterated or unwholesome milk or any cream from the same, or any unclean, impure, unhealthy, adulterated, colored, or unwholesome cream, or sell or exchange or offer or expose for sale or exchange any article of food made from such milk or cream or manufacture from any such milk or cream any article of food. No person shall sell or exchange, or offer or expose for sale or exchange, as and for certified milk, any milk which has not been duly examined by a competent person to make such examination and which has not been found upon such examination to be free from antiseptics, added preservatives, and pathogenic bacteria, or bacteria in excessive numbers. All milk sold as certified milk shall be conspicuously marked with the name of the association certifying it. (*Revised Statutes, Codes, and General Laws, 1901, vol. 1 [Bul. 69, p. 282] as amended May 3, 1904. Laws of 1904, vol. 2, ch. 566, p. 1380.*)

SEC. 32. *Dairy products—sanitary surroundings.*—No person, firm, association or corporation, producing, buying or receiving milk, for the purpose of selling the same for consumption as such, or for manufacturing the same into butter, cheese, condensed milk, or other human food, shall keep the same in utensils, cans, vessels, room or rooms, building or buildings, that are unclean or that have unsanitary surroundings or drainage, or in any condition whatsoever that would tend to produce or promote conditions favorable to unhealthfulness or disease. The commissioner of agriculture shall notify all persons, firms, associations or corporations violating this section, to clean said utensils, cans, vessels, room or rooms, building or buildings, or to so improve the sanitary conditions that the law will not be violated, and if such notice is complied with in ten days time, Sundays excepted, then no action shall lie for a violation of this section. (*Revised Statutes, Codes, and General Laws, 1901, vol. 1 [Bul. 69, p. 285] as amended March 28, 1904. Laws of 1904, vol. 1, ch. 168, p. 300.*)

SEC. 33. *Manufacturer's brand of cheese.*—Every manufacturer of full-milk cheese may put a brand or label upon such cheese indicating "full-milk cheese," and the date of the month and year when made; and no person shall use such a brand or label upon any cheese made from milk from which any of the cream has been taken. The commissioner of agriculture shall procure and issue to the cheese manufacturers of the state, on proper application therefor, and under such regulations as to the custody and use thereof as he may prescribe, a uniform stencil brand or labels bearing a suitable device or motto, and the words, "New York state full-cream cheese." Every such brand or label shall be used upon the outside of the cheese and shall bear a different number for each separate factory. The commissioner shall keep a book, in which shall be registered the name, location and number of each manufactory using the brands or labels, and the name or names of the persons at each manufactory authorized to use the same. No such brand or labels shall be used upon any other than full-cream cheese or packages containing the same. (*Revised Statutes, Codes, and General Laws, 1901, vol. 1 [Bul. 69, p. 285] as amended March 1, 1904. Laws of 1904, vol. 1, ch. 27, p. 79.*)

EVAPORATED APPLES.

ARTICLE 13, SECTION 185. *Evaporated apples—prohibition.*—No person shall sell, expose or offer for sale as and for evaporated apples any evaporated apples intended to be used for food, or for consumption by any person, other than standard evaporated apples.

SECTION 186. *Evaporated apples—standard.*—Evaporated apples containing not more than twenty-seven per centum of water or fluids as determined by drying for four hours at the temperature of boiling water shall be considered standard evaporated apples for the purposes of this act. (*Laws of 1893, ch. 338 added April 23, 1904, by laws of 1904, vol. 2, ch. 391, p. 991.*)

FOOD AND DRUGS.

SECTION 42. *Duties of state department of health in respect to adulterations.*—The state department of health shall take cognizance of the interests of the public health as affected by the sale or use of food and drugs and the adulterations thereof, and make all necessary inquiries and investigations relating thereto. It shall appoint such public analysts, chemists and inspectors as it may deem necessary for that purpose, and revoke any such appointment whenever it shall deem the person appointed incompetent, or his continuance in the service for any reason undesirable. It shall, from time to time, adopt such measures and make such regulations and declarations, in addition to the provisions of this article, as may seem necessary to enforce or facilitate the enforcement of this article, or for the purpose of making an examination or analysis of any food or drug sold or exposed for sale in the state, and all such regulations and declarations made in any year shall be filed in the office of the secretary of state and published in the session laws first published after the expiration of thirty days from such filing. (*Revised Statutes, Codes, and General Laws, 1901, vol. 2 [Bul. 69, p. 277] as amended April 28, 1904. Laws of 1904, vol. 2, ch. 484, p. 1236.*)

SECTION 44. *Samples to be furnished.*—Every person selling, or offering, or exposing for sale or manufacturing or producing any article of food, or any drug, shall upon tender of the value thereof, furnish any analyst, chemist, officer or agent of the state department of health or of any local board of health, with a sample of any such article or drug, sufficient for the purpose of analysis or test. For every refusal to furnish the same, the person so refusing shall forfeit to the people of the state the sum of one hundred dollars.

SECTION 50. *Report to district attorney.*—Upon discovering any violation of the provisions of the penal code relating to the adulteration of foods and drugs, the state department of health shall immediately communicate the facts to the district attorney of the county where the violation occurred, who shall thereupon forthwith commence proceedings for the indictment and trial of the person charged with such violation. Nothing in this article shall be construed to in any way repeal or affect any of the provisions of chapter one hundred and eighty-three of the laws of eighteen hundred and eighty-five, or the acts amendatory thereof or supplemental thereto, or of chapter five hundred and fifteen of the laws of eighteen hundred and eighty-nine, nor to prohibit the coloring of butter made from milk, the product of the dairy or the cream from the same with coloring matter which is not injurious to health. (*Revised Statutes, Codes, and General Laws, 1901, vol. 2 [Bul. 69, p. 278] as amended April 28, 1904. Laws of 1904, vol. 2, portion of ch. 484, p. 1238.*)

ICE CREAM AND CONFECTIONERY.

SECTION 1. *Ice cream and confectionery—registration of marks.*—Any and all persons and corporations engaged in manufacturing, freezing, preserving or selling ice cream, confectionery, charlotte russe, cakes and jellies, with his, her, its or their name or names or other marks or devices, branded, stamped, engraved, stenciled, blown, impressed or otherwise produced upon the freezers, cans, blocks, moulds, trays, bricks, pans, tanks, pails, kegs, tubs, refrigerators, boxes, spoons, cutlery, glass, china, chairs, tables or signs used by him, her, it or them, may file in the office of the clerk of the county in which his, her, its or their principal place of business is located, or, if such person, persons, corporation, or corporations, shall manufacture or sell out of this state, then in any county in this state, and

also in the office of the secretary of state, a description of the name or names, marks or devices, so used by him, her, it or them, respectively, and cause such description to be printed once in each week, for three weeks successively, in a newspaper published in the county in which said notice may have been filed, as aforesaid, except that in the city and county of New York, and the city of Brooklyn, in the county of Kings, such publication shall be made twice in each week, for three weeks successively, in two daily newspapers published in the cities of New York and Brooklyn respectively.

SECTION 2. *Marks, unlawful use, mutilation.*^a—It is hereby declared to be unlawful for any person or persons, corporation or corporations, to make use of, for similar or other purposes, any such freezers, cans, blocks, moulds, trays, bricks, pans, tanks, pails, kegs, tubs, refrigerators, boxes, spoons, cutlery, glass, china, chairs, tables or signs so marked or distinguished, as aforesaid, with or by any name, mark or device, of which a description shall have been filed and published, as provided in section one of this act, or to deface, erase, obliterate, cover up or otherwise remove or conceal, any such name, mark or device thereon, or to sell, buy, give, take or otherwise dispose of or traffic in the same without the written consent of, or unless the same shall have been purchased from the person or persons, corporation or corporations, whose mark or device shall be or shall have been in or upon the said freezers, cans, blocks, moulds, trays, bricks, pans, tanks, pails, kegs, tubs, refrigerators, boxes, spoons, cutlery, glass, china, chairs, tables or signs trafficked in, used or handled as aforesaid. Any person or persons, corporation or corporations, offending against the provision of this section, shall be deemed guilty of a misdemeanor, and shall be punished for the first offense by imprisonment not less than ten days nor more than one year, or by a fine of three dollars for each and every such article named and described in section one, sold, used, disposed of, bought or trafficked in, or by both such fine and imprisonment, and for each subsequent offense by imprisonment not less than twenty days nor more than one year, or by a fine of not less than five dollars nor more than ten dollars for each and every such article named and described in section one, sold, used, disposed of, bought or trafficked in, or by both such fine and imprisonment, in the discretion of the magistrate before whom the offense shall be tried.

SECTION 3. *Marks—unlawful use.*^b—The use by any person other than the person or persons, corporation or corporations, whose device, name or mark shall be or shall have been upon the same without such written consent or purchase as aforesaid, of any such article named and described in section one, a description of the name, mark or device whereon shall have been filed and published as herein provided, for similar or other purposes, or the buying, selling, using, disposing of, or trafficking in any such article named and described in section one, by any person other than said persons or corporations having a name, mark or device thereon of such owner, without such written consent, or the having by any junk dealer or dealers in second hand articles, possession of any such article, named and described in section one, a description of the marks, names or devices whereon shall have been so filed and published as aforesaid, without such written consent, shall, and is hereby declared to be presumptive evidence of the said unlawful use, purchase and traffic in of such freezers, cans, blocks, moulds, trays, bricks, pans, tanks, pails, kegs, tubs, refrigerators, boxes, spoons, cutlery, glass, china, chairs, tables or signs.

SECTION 4. *Administration.*—Whenever any person, persons or corporation mentioned in section one of this act, or his, her, its or their agent, shall make oath before any magistrate, that he, she, or it, has reason to believe, and does believe, that any of his, her, its or their freezers, cans, blocks, moulds, trays, bricks, pans, tanks, pails, kegs, tubs, refrigerators, boxes, spoons, cutlery, glass, china, chairs, tables or signs, a description of the names, marks or devices whereon has been so filed and published as aforesaid, are being unlawfully used for similar or other purposes, or that any junk dealer or dealer in second hand articles, or any other person or corporation, has any such article as named and described herein, in his, her or its possession, or secreted in any place, the said magistrate must thereupon issue a search warrant to discover and obtain the same, and may also

^a See also sec. 1.

^b See also sec. 2.

cause to be brought before him the person in whose possession such articles as named and described herein may be found, and shall then inquire into the circumstances of such possession, and if such magistrate finds that such person has been guilty of a violation of section two of this act, he must impose the punishment herein prescribed, and he shall also award possession of the property taken upon such warrant to the owner thereof.

SECTION 5. *Deposit does not constitute sale.*—The requiring, taking or accepting of any deposit, for any purpose, upon any freezer, can, block, mould, tray, brick, pan, tank, pail, keg, tub, refrigerator, box, spoon, cutlery, glass, china, chair, table or sign, shall not be deemed or constitute a sale of such property, either optional or otherwise, in any proceeding under this act.

SECTION 6. *One registration sufficient.*—Any person or persons, corporation or corporations, that has or have heretofore filed in the offices mentioned in section one of this act, a description of the name or names, mark or devices upon his, her, their or its property, therein mentioned, and has caused the same to be published according to the law existing at the time of such filing and publication, shall not be required to again file and publish such description to be entitled to the benefits of this act.

SECTION 7. *Repeal.*—All acts and parts of acts inconsistent herewith are, for the purpose of this act, hereby repealed. (*Approved May 3, 1904, Laws of 1904, vol. 2, ch. 548, p. 1333.*)

OHIO.

BEES.

SECTION 1. *Diseases of bees and appointment of bee inspector.*—That whenever a petition is presented to the board of county commissioners of any county in the state of Ohio, signed by three or more persons, all of whom are residents of said county, and possessors of an apiary or place where bees are kept, stating that certain apiaries within said county are infected with the disease known as foul brood, or any other disease which is injurious to bees or their larvae, praying that an inspector be appointed by said board of county commissioners, said board of county commissioners may within five days after the presentation of said petition appoint a person as bee inspector who is resident of said county who shall be a skilled beekeeper, having thorough knowledge of foul brood and other diseases injurious to bees and their larvae and the treatment of the same.

SECTION 2. *Duties of inspector.*—The person so appointed shall within five days after his appointment file with the said board his written acceptance of the office, or, in default thereof, or in case of vacancy, the board shall in the same manner make new appointments until the said office is filled. The inspector shall hold his office for two years and until his successor is appointed and qualified, except when upon petition of ten persons, (each of whom is a resident of said county and possessor of an apiary) to the board of county commissioners of said county, may remove said inspector for cause, after a hearing of petitioners.

SECTION 3. *Notification—duties of inspector.*—Any bee-keeper or other person who shall have cause to believe that an apiary in his county, is affected with foul brood or other disease, either in his own apiary or elsewhere, shall make affidavit stating that on information or belief, he believes that certain apiaries, describing the location, naming the owner or keeper, is *a* affected with foul brood or other disease, and his ground for such belief. On receiving said affidavit, from any source of the existence in any apiary in his county, of the disease known as foul brood, or any other infectious or contagious disease of bees, the county inspector of bees shall forthwith inspect each colony of bees and all hives, implements and apparatus, honey and supplies on hand or used in connection with such apiary, and distinctly designate each colony or apiary which is infected, and notify the owner, or person in charge of said bees thereof, in writing, and the owners of said bees, or the persons in charge thereof to practically and in good faith apply, and thereafter fully and effectually carry out to and upon such diseased colonies, such treatment as may have been prescribed by the said inspector for such cases; also thoroughly disinfect, to the satisfaction of the inspector all hives, bee-houses, combs, honey and apparatus that have been used in connection with any such diseased colonies; or, at his election, the said owner or person in charge of such bees may, within the same time utterly and completely destroy said bees, hives, houses, comb-houses, honey and apparatus by first killing the bees, (by the use of sulphur fumes when the bees are in the hives for the night), by fire or bury the same in the ground with a covering of not less than two feet of earth.

SECTION 4. *Authority of inspector.*^b—The inspector of bees, shall have the right to enter the premises of any bee-keeper, where the bees are kept, and inspect such bees, and any person resisting or refusing to allow said inspection by said bee-inspector, shall be guilty of a misdemeanor, and may be then and there arrested by said bee inspector or person deputized by him, and brought before a justice of the peace and upon conviction, shall be fined not less than ten dollars, nor more than twenty-five dollars.

SECTION 5. *Diseased bees—care in disinfection.*—After inspecting, working with, or handling infected hives or fixtures, or handling diseased bees, the inspector or other person shall, before leaving the premises, or proceeding to any other apiary, thoroughly disinfect his own person and clothing, and shall see that any assistant or assistants with him have also thoroughly disinfected their clothing and person.

^a So in statutes.

^b See also sections 6, 7, 8, 9, and 10.

SECTION 6. *Box hives.*—The inspector shall have full power in his discretion to order any owner or possessor of bees dwelling in box-hives, in apiaries where the disease exists (being mere boxes without frames) to transfer such bees to movable frame hives within a specified time, and in default of such transfer, the same shall become unlawful and the inspector may destroy, or order for destruction of such box ^a hives and the bees dwelling therein, as a public nuisance.

SECTION 7. *Sale or removal of diseased bees and appliances.*^b—Should any owner of, or keeper of, or other person having diseased bees or their larvae, or of any affected hives of combs, appliances or utensils for bee keeping, sell or barter, or give away the same, or allow the same or any part thereof to be moved, such person shall be guilty of a misdemeanor, and upon conviction such person shall be fined not less than ten dollars, nor more than twenty-five dollars.

SECTION 8. *Diseased bees and appliances—sale, exposure, concealment.*^c—Should any person, whose bees have been destroyed or treated for foul brood, sell, or offer for sale, any bees, hives or appurtenances of any kind after such destruction or treatment, and before being authorized by the inspector to do so, or should he expose, in his bee yard or elsewhere, any infected comb honey, or other infected thing, or conceal the fact that such disease exists among his bees, such person shall be guilty of a misdemeanor and upon conviction, such person shall be fined not less than ten dollars, nor more than twenty-five dollars.

SECTION 9. *Notification—failure to comply—penalty.*—If any owner or keeper of bees, knows of, or after being notified by the bee inspector, that foul brood or other infectious or contagious disease exists in any of the hives in the apiaries owned or in charge of said persons and shall fail to comply within ten days from receiving said knowledge and the date of receiving instructions from the county inspector to cure or destroy the bees or hives, or their appliances, such person shall be guilty of a misdemeanor and upon conviction thereof such person shall be fined not less than ten dollars nor more than twenty-five dollars.

SECTION 10. *Directions of inspector—failure to obey.*—When the owner or possessor of bees shall disobey the directions of said bee inspector in curing or destroying any diseased bees, honey, hives or appliances shall become unlawful and a public nuisance, and the said bee inspector shall at once destroy said bees, honey, hives or appliances, and may deputize such additional persons as he may find necessary to effect said destruction.

SECTION 11. *Monthly report.*—The inspector shall make a monthly report in writing, under oath, to the board of county commissioners, in which report he shall state the days and number of hours in the preceding month spent by him in the actual discharge of his duties, and shall in said report state the name of the owner or keeper, and the location of the apiary upon which such time was spent in curing or destroying said bees, together with an itemized account, showing the dates and amounts for what incurred, money spent for any discharge of his duties, and to whom the same was paid, and for what services and considerations such indebtedness was incurred, and accompany said report with the affidavits given him under and in pursuance of section 3 of this act, and make full and complete report of all he did and results of his treatment of any apiary.

SECTION 12. *Inspector's fees.*—After the inspector of bees in any county shall make report, as provided in the preceding section, said county commissioner shall allow to said inspector of bees two dollars for a full day, and one dollar for each half day, necessarily and actually employed in the discharge of his duties under this act, together with his necessary and actual expenses while so employed, to be audited, allowed and paid by the county treasurer upon the warrant of the county auditor. (*Approved April 21, 1904. Laws of 1904 (House Bill No. 28), p. 127.*)

CHEESE

4200-21. SEC. 1. *Filled cheese and skimmed cheese.*—Whoever, by himself or his agents, sells, exposes for sale, or has in his possession with intent to sell, any article, substance, or compound made in imitation or semblance of cheese, or as a substitute for cheese, and not

^a So in statutes.

^b See also sec. 8.

^c See also sec. 7.

made exclusively and wholly of milk or cream with salt, rennet, and with or without harmless coloring matter or containing any fats, oils or grease not produced from milk or cream, shall have the words "filled cheese," and all cheese made exclusively and wholly from milk or cream with salt, rennet, and with or without harmless coloring matter, and containing less than thirty per cent. of pure butter fat, shall have the words "skimmed cheese," stamped, labeled, or marked, in printed letters of plain uncondensed gothic type, not less than one inch in length, so that the words cannot easily be defaced, and upon the side of every cheese, cheese cloth or band around the same, and upon the top and side of every tub, firkin, box or package containing any of said article, substance, or compound. And in case of retail sales of any of said article, substance or compound, not in the original package, the seller shall, by himself or his agents, attach to each package so sold, and shall deliver therewith to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of the package the words "filled cheese" or "skimmed cheese," as the case may be, in printed letters of plain, uncondensed gothic type, not less than one inch in length.

4200-23. SEC. 3. *Penalty.*—Whoever, by himself or his agents, sells, exposes for sale, to any person who asks, sends or inquires for cheese, any article, substance or compound made in imitation or semblance of cheese, or as a substitute for cheese, not made entirely from milk or cream, with salt, rennet, and with or without harmless coloring matter, and containing not less than thirty per cent. pure butter fat, shall be punished by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment in the county jail not less than ten nor more than thirty days for the first offense, and by a fine of not less than one hundred nor more than two hundred dollars, or by imprisonment in the county jail not less than twenty nor more than sixty days, or both, for each subsequent offense. (*Bate's Annotated Statutes, 1902, vol. 2 [Bul. 69, pp. 318-319] as amended April 23, 1904. Laws of 1904 (House Bill No. 453), p. 252.*)

DAIRY AND FOOD COMMISSIONER.

409-9. SEC. 3. *Powers of dairy and food commissioner—district attorneys.*—The said commissioner, or any assistant commissioner, or any inspector, of the dairy and food department shall have power in the performance of their duty, to enter into any creamery, factory, store, salesroom, drug store or laboratory, or place where they have reason to believe food or drink or linseed oil are made, prepared, sold or offered for sale, and to examine their books, and to open any cask, tub, jar, bottle or package, containing or supposed to contain any article of food or drink and examine or cause to be examined and analyzed the contents thereof, and it shall be the duty of any prosecuting attorney in any county of the state, when called upon by said commissioner or assistant commissioner, or any inspector, to render him any legal assistance in his power, to execute the laws, and to assist in the prosecution of cases arising under the provisions of this act.

409-10. SEC. 4. *Assistant commissioners, inspectors, etc.*—Said commissioner may appoint not to exceed two assistant commissioners, each of whose salaries shall be one thousand dollars per year, and necessary traveling expenses incurred in the discharge of their official duties, to be paid in like manner with the commissioner's and on itemized vouchers approved by said commissioner; the said commissioner shall have power to employ such experts, chemists, agents, inspectors and counsel as may by him be deemed necessary for the proper enforcement of the laws, their compensation to be fixed by the commissioner. And each assistant commissioner and inspector now serving or hereafter appointed shall, before entering upon or continuing in the discharge of his duties, give bond payable to the state in the sum of \$1,000.00 with sureties to the approval of the dairy and food commissioner conditioned for the faithful performance of his duties, which bond, when so approved, shall be filed with the secretary of state and be open to inspection at all proper times.

Expenses, vacancies, fines, fees, and costs.—All charges, accounts and expenses authorized by this act shall be paid out of the state treasury upon vouchers certified by the commissioner, and upon warrant by the state auditor. The entire expense of said commis-

sioner shall not exceed in one year the amount specifically appropriated for such purposes. All vacancies in the office of dairy and food commissioner shall be filled by appointment of the governor until the next general election, then the same shall be filled as in the original election. All fines, fees and costs assessed and collected under prosecutions begun, or caused to be begun, by the commissioner, and all fines, fees and costs heretofore assessed and collected under prosecution begun or caused to be begun by the commissioner, shall be paid by the court to the commissioner, and by him paid into the state treasury and be credited to the general revenue fund of the state.

Office rooms.—The two most easterly rooms on the north side of the east end of the south corridor of the state house, now occupied by the dairy and food commissioner, are set apart for his use, wherein shall be kept his books, records, or other property of his office.

Seal, report, accounts, etc.—He shall keep a seal with which to attest official acts and documents, and shall be entitled to stationery and supplies from the secretary of state as are other state officers. The commissioner shall make an annual report to the governor as soon as possible after the 15th day of November of each year, containing itemized statements of all receipts and disbursements, attorney fees in each specified suit brought in this department, and all persons employed by him, together with such statistics and other matter as he may regard of value; said reports to be published as are the other reports of the other state officers.

Bulletins.—He shall issue bulletins at such times as he may deem best, giving such information as he may have of the condition of the various products which it is his duty to cause to be inspected and the results of analyses by him caused to be made and such other information as may be serviceable to the public, which said bulletins shall be immediately published by the state and distributed by the commissioner. (*Bate's Annotated Statutes 1902, vol. 1 [Bull. 69, p. 305] as amended March 4, 1904. Laws of 1904, (Senate Bill No. 8), p. 30.*)

409-14. SEC. 1. Clerk.—That the dairy and food commissioner of Ohio be, and is hereby authorized to employ a clerk for his office whose compensation shall not exceed \$1,200.00 per annum. (*Bate's Annotated Statutes 1902, vol. 1 [Bull. 69, p. 306] as amended March 4, 1904. Laws of 1904, (Senate Bill No. 8), p. 31.*)

409-7. SEC. 1. Dairy and food commissioner.—That there is hereby created the office of dairy and food commissioner of the state of Ohio. Said commissioner shall be elected at the general election held on the first Tuesday after the first Monday in November, A. D., one thousand eight hundred and ninety-six. He shall take his office on the first Tuesday following the fifteenth day of February next after his election and shall serve for two years, and until his successor is elected and qualified. He shall be charged with the enforcement of all laws against fraud and adulteration or impurities in foods, drinks or drugs, and unlawful labeling in the state of Ohio. His salary shall be three thousand five hundred dollars per year, and his necessary and reasonable expense incurred in the discharge of his official duties, to be paid in monthly installments at the end of each calendar month.

Provided however that said salary and expenses provided for herein shall be in full of all amounts received by said commissioner from all sources whatsoever, and said necessary and reasonable expenses shall not exceed the sum of seven hundred and fifty dollars in any one year. (*Bate's Annotated Statutes 1902, vol. 1 [Bul. 69, p. 305] as amended April 1, 1904. Laws of 1904, (House Bill No. 200), p. 64.*)

FOOD AND DRUGS.

4200-5. SEC. 2. Food and drugs—definitions.—The term "drug," as used in this act, shall include all medicines for internal or external use, antiseptics, disinfectants and cosmetics. The term "food," as used herein, shall include all articles used for food, drink, confectionery, or condiment by man, whether simple, mixed or compound.

4200-3. SEC. 3. *Adulteration defined.*—An article shall be deemed to be adulterated within the meaning of this act:

(a) In the case of drugs: (1) If, when sold under or by a name recognized in the seventh decennial revision of the United States Pharmacopoeia, it differs from the standard of strength, quality or purity laid down therein; (2) if, when sold under or by a name not recognized in the seventh decennial revision of the United States Pharmacopoeia but which is found in some other pharmacopoeia, or other standard work on materia medica, it differs materially from the standard of strength, quality, or purity laid down in such work; (3) if, its strength, quality or purity falls below the professed standard under which it is sold.

(b) In [the] case of food, drink, confectionery or condiment: (1) If, any substance or substances have been mixed with it, so as to lower or depreciate, or injuriously affect its quality, strength or purity; (2) if any inferior or cheaper substance or substances have been substituted wholly or in part for it; (3) if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; (4) if it is an imitation of, or is sold under the name of another article; (5) if it consists wholly, or in part, of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not—or, in the case of milk, if it is the produce of a diseased animal; (6) if it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; (7) if it contains any added substance or ingredient which is poisonous or injurious to health; (8) if it is sold under a coined name and does not contain some ingredient suggested by such name or contains only an inconsiderable quantity; (9) if the package containing it or any label thereon shall bear any statement regarding it or its composition which shall be false or misleading in any particular; provided, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, or drink, if each and every package sold or offered for sale be distinctly labeled in words of the English language, as mixtures or compounds, with the name and per cent. of each ingredient therein. The word "compound" or "mixture" shall be printed in type not smaller in either height or width than one-half the largest type upon any label on the package and the formula shall be printed in letters not smaller in either height or width than one-fourth the largest type upon any label on the package, and said compound or mixture must not contain any ingredient injurious to health. (*Bate's Annotated Statutes, 1902, vol. 2 [Bul. 69, p. 304] as amended April 20, 1904. Laws of 1904 (House Bill No. 92), p. 116.*)

MAPLE PRODUCTS.

SEC. 1. *Maple-sugar and sirup—definition.*—That maple sugar, or pure maple sugar, and maple syrup, or pure maple syrup, shall be the unadulterated product produced by the evaporation of pure sap from the maple tree.

SEC. 2. *Maple sugar and sirup—standard.*—The standard of weight of a gallon of maple syrup of 231 cubic inches in the state of Ohio, shall be eleven pounds. Any other substance mixed with maple sugar or maple syrup or any other substance purporting to be maple sugar or maple syrup or maple syrup^a of less weight than eleven pounds to the gallon of 231 cubic inches shall be deemed to be an adulteration of such substance.

SEC. 3. *Adulterated maple sugar and sirup.*—Any person who shall manufacture for sale, offer for sale, or have in his possession with intent to sell, or sell or deliver as and for maple syrup or maple sugar any adulteration of maple syrup or maple sugar as herein defined shall, upon conviction, be punished as provided in section 6 of this act.

SEC. 4. *Maple products—branding.*—Any person who shall offer for sale, have in his possession with intent to sell, or sell or deliver as and for maple syrup, or as and for maple sugar, any articles which do not bear the name and address of the packer and also the state, territory or country in which the goods were produced, in plain legible type upon the label, shall upon conviction, be punished as provided in section 6 of this act.

^a So in laws.

SEC. 5. *Misbranding of adulterated products.*—Any person who shall offer for sale, have in his possession with intent to sell, or sell or deliver any adulteration of maple syrup or maple sugar in any box, can, bottle or other package having the word "Maple" or any compounding of this word, as the name or part of the name of the syrup or sugar or any device or illustration suggestive of maple syrup or sugar or the manufacture thereof, shall, upon conviction, be punished as provided in section 6 of this act.

SEC. 6. *Penalty.*—Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty nor more than two hundred dollars and shall pay the costs of prosecution. (*Bate's Annotated Statutes 1962, vol. 2, p. 2349 [Bul. 69, p. 325] as amended March 24, 1904. Laws of 1904, (Senate Bill No. 79), p. 46.*)

MILK.

SECTION 1. *Babcock test.*—In the use of the Babcock test, the standard milk measures or pipettes, shall have a capacity of 17.6 cubic centimeters; and the standard test tubes or bottles of milk, shall have a capacity of 2 cubic centimeters for each 10% marked on the necks thereof; the standard unit of cream for testing shall be 18 grams, and it is hereby made a misdemeanor to use any other standards of milk or cream measure where milk or cream is purchased by or furnished to creameries or cheese factories and, where the value of said milk or cream is determined by the per cent. of butter fat contained in the same by the Babcock test.

SECTION 2. *Graduated apparatus.*—Any manufacturer, merchant, dealer, or agent in this state who shall offer for sale or sell a milk pipette or measure, test tube or bottle, which is not correctly marked or graduated, as herein provided, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided in section four of this act.

SECTION 3. *Correct testing.*—It shall be unlawful for the owner, manufacturer, agent, or any employee of a cheese factory, creamery or condensed milk factory or other place where milk is tested for quality or value to manipulate or under-read or over-read the Babcock test or any other contrivance used for determining the quality or value of milk or cream or to make any false determination by said Babcock test or otherwise.

SECTION 4. *Penalty.*—Whoever shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars. (*Approved April 23, 1904. Laws of 1904, (House Bill No. 341), p. 285.*)

4200-12. SEC. 4. *Milk standards.*—In all prosecutions under this chapter, if the milk is shown upon analysis to contain more than eighty-eight per cent. of watery fluid, or to contain less than 12 per cent. of solids or to contain less than three per cent. of fats, it shall be deemed for the purpose of this chapter to be adulterated. (*Bate's Annotated Statutes 1962, vol. 2 [Bul. 69, p. 317] as amended April 20, 1904. Laws of 1904, (House Bill No. 253), p. 119.*)

WATER SUPPLY.

2433. *Water supply—municipal.*—The jurisdiction of any municipal corporation to prevent the pollution of its water supply and to provide penalty therefor, shall extend twenty miles beyond the corporation limits. Whoever pollutes any running stream, the water of which is used for domestic purposes by any municipality by putting therein any putrid or offensive substance, (other than fresh or salt water), injurious to health shall be guilty of a misdemeanor, which shall be punishable by a fine of not less than five or more than five hundred dollars. It shall be the duty of the board of public service or board of trustees of public affairs of any municipal corporation to enforce the provisions of this section. (*Bate's Annotated Statutes 1962, vol. 1 as amended April 21, 1904. Laws of 1904, (House Bill No. 277), p. 135.*)

PORTO RICO.

MEAT.

SECTION 1. *Cattle for slaughter*.—That cattle may be presented for slaughter without restriction as to sex; provided that female cattle shall not be over six months pregnant.

SECTION 2. That section 1 of an Act, entitled "An Act to regulate the slaughter of food animals and the sale of fresh meat," approved March 1, 1902, be, and hereby is amended so as to read as follows:

"SECTION 1. *Slaughter of animals for food—municipal regulation*.—That the killing of animals for food and the sale of their flesh in each municipality of the Island shall be subject to the inspection of the local authorities, who shall see that the provisions of this Act are complied with. The following fees shall be collected by the municipalities from persons offering meats for public consumption: For every twenty-five pounds of fresh meat of cattle, twenty-five cents; for every hog, fifty cents; and for every head of sheep, twenty-five cents. No other fees than those herein mentioned shall be levied or collected from persons offering meats for public consumption, whether such persons use the municipal slaughter-houses and meat-markets or whether they use private slaughter-houses and meat stands for the slaughtering of their cattle and the sale of their flesh. Persons bringing in the carcasses of animals for consumption from outside the municipality, and persons importing refrigerated meat from any other country for public consumption, shall pay the same fees as those hereinbefore specified. Each municipality shall have at least one inspector, who shall be a veterinary surgeon or the municipal health officer, and whose duty it shall be to see that the provisions of this law are enforced; examine all animals offered for slaughter with the intention of offering the meat for public sale; inspect slaughtering operations, markets, market stands, and all places where fresh meat is exposed for sale, and see that diseased animals and condemned meat are destroyed. Appeal against the ruling of local inspectors in matters of the fitness or otherwise of animals for slaughter and food shall lie to the Superior Board of Health, whose decision therein shall be final." (*Revised Statutes and Code of Porto Rico 1902; Revised Statutes, p. 4 [Bul. 83, p. 106] as amended March 10, 1904.*)

SECTION 3. *Fees collected prior to enactment of law*.—That no cause of action shall lie against any municipality because of charges levied and collected prior to the passage of this Act for the use of or inspection of the municipal slaughter-house or meat stands, or for the inspection of private slaughter-houses or meat stands; nor shall any municipality be required to refund any moneys so collected. (*Approved, March 10, 1904. Laws and Code, Civil Procedure 1904, p. 6.*)

According to section 19 of the act of March 10, 1904, it is the duty of the superior board of health to inquire into and report upon infractions of the laws governing the good condition and purity of foods, labels, beverages, medicines, and drugs. It is the duty of the director of health, charities, and corrections to make regulations subject to the approval of the executive council governing such matters.

SOUTH CAROLINA.

CORN MEAL.

SECTION 1. *Corn meal—weight of bushel.*—Be it enacted by the General Assembly of the State of South Carolina, The standard weight of a bushel of corn meal, whether bolted or unbolted, shall be forty-eight pounds.

SEC. 2. *Corn meal—size of packages—branding.*—It shall be unlawful for any person or persons to pack for sale, sell or offer for sale, in this State, any corn meal, except in bags or packages containing by standard weight two bushels, or one bushel, or one-half bushel, or one-fourth bushel, or one-eighth bushel, respectively. Each bag or package of corn meal shall have plainly printed or marked thereon whether the meal is "bolted" or "unbolted," the amount it contains in bushels or fraction of a bushel, and the weight: *Provided*, The provisions of this Section shall not apply to the retailing of meal direct to customers from bulk stock, when priced and delivered by actual weight or measure.

SEC. 3. *Penalty.*—Any person or persons guilty of violating either of the foregoing Sections of this Act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding thirty days, or by both fine and imprisonment, in the discretion of the Court.

SEC. 4. *Date of taking effect.*—This Act shall be of force and effect from and after April first, 1903.

SEC. 5. *Repeal.*—All Acts and parts of Acts in conflict with this Act be, and the same are hereby, repealed. (*Approved the 23rd day of February, 1903. Acts of 1903, No. 85, p. 126.*)

Chapman

Hawkins

